

Article - Environment

[\[Previous\]](#)[\[Next\]](#)

§2-605.

(a) The Department shall give notice of and hold any hearing held under § 2-603 or § 2-604 of this subtitle in accordance with the Administrative Procedure Act and the requirements of this section.

(b) Before the hearing, the person charged, on request, shall be given an opportunity to examine all information and reports that relate to the alleged offense.

(c) The person charged may be represented at the hearing by counsel.

(d) A person may withhold information about secret processes or methods of manufacture or production from any public hearing under this subtitle, and the Department and its personnel shall keep confidential any such information that it requires, ascertains, or discovers.

(e) Testimony taken at the hearing shall be under oath and recorded.

(f) Copies of the transcript and of any other record of the hearing shall be provided to the person charged at that person's request and expense.

(g) (1) The Secretary or a designee of the Secretary may issue subpoenas for any person or evidence and administer oaths in connection with any proceeding under this section.

(2) At the request and the expense of the person charged, the Secretary or a designee of the Secretary shall subpoena any person or evidence on behalf of the person charged.

(3) If a person fails to comply with a notice of hearing or a subpoena issued under this section, the circuit court for the county where the person charged resides, on petition of the Secretary, may:

(i) Compel obedience to the notice or subpoena; or

(ii) Compel testimony or the production of evidence.

[\[Previous\]](#)[\[Next\]](#)